



April 8, 2003

---

---

## ENGROSSED HOUSE BILL No. 1837

---

DIGEST OF HB 1837 (Updated April 3, 2003 6:08 PM - DI 44)

**Citations Affected:** IC 12-11.

**Synopsis:** Provider assessments. Allows the office of Medicaid policy and planning to assess providers of supported living services and support to individuals with a developmental disability an amount not to exceed 2.5% of all service revenue included on the annual plan of care excluding resident living allowances. Creates the community services certification and quality assurance assessment fund to be used for the funding of licensing, certification, and quality assurance services. Terminates assessment authority if federal financial participation ceases.

**Effective:** July 1, 2003.

---

---

### Summers

(SENATE SPONSORS — MILLER, SIMPSON, RIEGSECKER)

---

---

January 23, 2003, read first time and referred to Committee on Ways and Means.  
February 26, 2003, amended, reported — Do Pass.  
March 3, 2003, read second time, ordered engrossed. Engrossed.  
March 4, 2003, read third time, passed. Yeas 97, nays 0.

SENATE ACTION

March 10, 2003, read first time and referred to Committee on Health and Provider Services.

March 20, 2003, reported favorably — Do Pass; reassigned to Committee on Finance.  
April 7, 2003, amended, reported favorably — Do Pass.

---

---

C  
o  
p  
y

EH 1837—LS 6993/DI 104+



April 8, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

## ENGROSSED HOUSE BILL No. 1837

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 12-11-1.1-10 IS ADDED TO THE INDIANA  
2 CODE AS A **NEW** SECTION TO READ AS FOLLOWS  
3 [EFFECTIVE JULY 1, 2003]: **Sec. 10. (a) The office may assess**  
4 **providers of supported living services and supports to individuals**  
5 **with a developmental disability (described in 460 IAC 6) in an**  
6 **amount not to exceed two and five tenths percent (2.5%) of all**  
7 **service revenue included on the annual plan of care excluding**  
8 **resident living allowances.**  
9 **(b) The assessments shall be paid to the office not later than the**  
10 **tenth day of the month for each month that the individual is in**  
11 **service. The office or the office's designee may withhold Medicaid**  
12 **payments to a provider described in subsection (a) that fails to pay**  
13 **an assessment within thirty (30) days after the due date. The**  
14 **amount withheld may not exceed the amount of the assessments**  
15 **due.**  
16 **(c) The community services quality assurance fund is created.**  
17 **The fund shall be administered by the office.**

EH 1837—LS 6993/DI 104+



C  
o  
p  
y

1       (d) Revenue from the assessments under this section shall be  
2 deposited into the fund. Money in the fund may be used only for  
3 the funding of licensing, certification, and quality assurance  
4 services. The aggregate amount of the fee may not exceed the  
5 state's estimated cost of operating the programs.

6       (e) Money in the fund at the end of a state fiscal year does not  
7 revert to the state general fund.

8       (f) If federal financial participation to match the assessments in  
9 subsection (a) becomes unavailable under federal law, the  
10 authority to impose the assessments terminates on the date that the  
11 federal statutory, regulatory, or interpretive change takes effect.

C  
o  
p  
y



## COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1837, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Page 1, line 4, delete "(described in".

Page 1, line 5, delete "460 IAC 6)".

Page 1, line 5, after "disability" insert "**(described in 460 IAC 6)".**

Page 1, line 6, delete ":" and insert "**two and five tenths percent (2.5%) of all service revenue included on the annual plan of care excluding resident living allowances.**".

Page 1, delete lines 7 through 10.

Page 2, line 3, before "assessment" insert "**certification and quality assurance**".

Page 2, line 3, delete "Money in the community services".

Page 2, delete line 4.

Page 2, line 5, delete "described in this section.".

Page 2, line 6, delete "services for which federal financial participation under" and insert "**the funding of licensing, certification, and quality assurance services. The aggregate amount of the fee may not exceed the state's estimated cost of operating the programs.**".

Page 2, delete lines 7 through 13.

and when so amended that said bill do pass.

(Reference is to HB 1837 as introduced.)

CRAWFORD, Chair

Committee Vote: yeas 23, nays 0.



## COMMITTEE REPORT

Mr. President: The Senate Committee on Health and Provider Services, to which was referred House Bill No. 1837, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS and be reassigned to the Senate Committee on Finance.

(Reference is made to House Bill 1837 as printed February 27, 2003.)

MILLER, Chairperson

Committee Vote: Yeas 10, Nays 0.

C  
o  
p  
y

EH 1837—LS 6993/DI 104+



## COMMITTEE REPORT

Mr. President: The Senate Committee on Finance, to which was referred House Bill No. 1837, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 16, after "(c)" insert "**The community services quality assurance fund is created. The fund shall be administered by the office.**

**(d)".**

Page 1, line 16, after "assessments" insert "**under this section**".

Page 1, line 16, delete "credited to a special" and insert "**deposited into the fund.**".

Page 1, delete line 17.

Page 2, delete line 1.

Page 2, line 2, delete "account" and insert "**fund**".

Page 2, line 6, delete "(d)" and insert "**(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund. (f)".**

and when so amended that said bill do pass.

(Reference is to EHB 1837 as printed March 21, 2003.)

BORST, Chairperson

Committee Vote: Yeas 15, Nays 0.

C  
O  
P  
Y

